

MEETING MINUTES



Village of Homewood
Planning and Zoning Commission
Thursday, June 9, 2022
7:30 p.m.

Village Hall Board Room
2020 Chestnut Road
Homewood, IL 60430

CALL TO ORDER: Chairman Sierzega called the meeting of the Planning and Zoning Commission to order at 7:30 p.m.

ROLL CALL: Members attended: Alfonso, Bransky, Cap, Castaneda, O'Brien, Planera, and Chairman Sierzega. Member Johnson was absent; Present from the Village was Economic and Community Development Director Angela Mesaros. There was one person in the audience.

APPROVAL OF MINUTES:

Chairman Sierzega asked if there were any corrections or changes to the minutes of April 28, 2022.

Member Bransky stated on Page 6, second to last paragraph, should read "different" not "separate."

Member Bransky stated that on Page 7, ninth paragraph, Sweat Equity has an "enclosed" lot (not a "closed lot") and the next paragraph should read "minimally" increased density.

A motion was made by Member O'Brien to approve the minutes of April 28, 2022, as amended; seconded by Member Cap.

AYES: Members Bransky, Cap, Castaneda, O'Brien, and Chairman Sierzega.

NAYS: None

ABSTENTIONS: Member Alfonso

ABSENT: Member Johnson

Case No. 22-15 – Variance from fence height at 1549 183rd Street:

Chairman Sierzega introduced the case and asked Staff Liaison Mesaros if any comments or questions were received. Staff Liaison Mesaros stated that no comments had been received.

Chairman Sierzega swore in the petitioner, Amos D. Cook.

Chairman Sierzega asked what the fence will look like. Mr. Cook provided pictures.

Mr. Cook stated that he wants to use as much space as possible and that no one has complained.

Chairman Sierzega stated that he could make it four feet in front of the house or six feet in line with the house.

Member Castaneda stated that he could do both.

Mr. Cook stated that he is asking for approvals where it is.

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Member Alfonso asked how many feet in front of the house the fence was. Mr. Cook stated four or five feet.

Member Alfonso asked if the fence would cut off the front door. Mr. Cook stated no, it has a swinging door. The fence is all for privacy.

Member Alfonso stated that the fence looks out of place, he can keep the six-foot fence but move it back.

Mr. Cook stated that he has cameras all along the house.

Member Bransky stated that this is not about any issues Mr. Cook may have with the house; the ordinance is as it stands. Mr. Cook has to prove why he needs the variance that his situation is a hardship because of the ordinance, and the variance should be given to him.

Member Bransky stated that Mr. Cook had stated that the fence comes out four to five feet, but by the picture it appears to come out 15-20 feet in front of the house.

Member Bransky stated that he understands the need for privacy and security, but we cannot allow fences in front of people's houses, then it looks like a stockade. It is not about what the neighbors say, but whether or not the code creates a hardship. If he brought the fence back in line with the house, he could keep the six-foot height and still have privacy and security. He has a pretty sizable back yard. Member Bransky stated he does not see the hardship if the fence is kept in line with the house.

Member Bransky stated that the plat shows the fence along a diagonal, and asked if Mr. Cook plans to go all the way to the back with the fence. Mr. Cook stated he plans to match the pre-existing six-foot fence.

Member Cap stated that his concern is that he is trying to follow the ordinance. Mr. Cook cannot have a taller fence in front of the house. He understands the concerns for privacy and security. He lives next door to a guy who has the same issues and he did a six foot fence as described, but did not extend it past the front of the house. Because he wants use of front yard, he enclosed it with a four-foot fence. We try to be consistent with everybody and follow the rules that apply equally to everyone. A six-foot fence in front gives the appearance of a stockade.

Chairman Sierzega stated that it would be like a fortress.

Member Cap stated that the rule is that the fence cannot be as tall as six feet in the front yard. Those are the rules that over the years have been applied consistently and fairly to everyone.

Member Cap asked if he proposed a gate on the driveway. Mr. Cook stated that is the plan. If it is not approved, then he will not have the fence and he will move out of Homewood.

Member Cap stated that he is not opposed to safety or the right to privacy.

Mr. Cook stated that he understands the rules, but some things need to be updated.

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Member Cap asked Mr. Cook what he gains from having a taller fence jutting out in front of the house. Mr. Cook stated curb appeal. He wants it to look nice and the fence will add value to the house. Without the fence, eyes are watching him all day long. The garage faces the street and all his tools sit in the garage. He is trying to keep a visual away from the thieves.

Member Cap stated that he does not understand how privacy and security is made any better by having the fence in front of the house. Mr. Cook stated, for the look. It makes it uniform.

Member Cap stated it is not like he is extending the fence across the front of the house; he is trying to understand why it is staggered. Mr. Cook stated he wants to maximize the use of the yard.

Chairman Sierzega asked what purpose this is serving. He showed Mr. Cook on the site plan that he could have a six-foot fence in line with the house and he would not need a variance.

Mr. Cook asked how to get a variance. Chairman Sierzega stated that it requires enough evidence of hardship and there is no other way to get a variance.

Mr. Cook stated that he needs all the space he can get and nothing is being blocked. He understands the ordinance, but if nobody complains, it shouldn't matter. His fence is already in the ground with concrete.

Chairman Sierzega asked why he needs the extra area.

Member Castaneda stated that people would not see the garage even if the fence were moved back; it would still be protected.

Mr. Cook stated that the fence is already there and he wants to keep it.

Member O'Brien asked Mr. Cook to come to the dais to look at properties east to west that have no fences in the front yard. Mr. Cook stated that maybe they do not have money to buy a fence. Member O'Brien stated that Mr. Cook's fence is jutting out beyond the front of the house and no other fences are.

Member O'Brien stated that a six-foot fence is permitted behind the front line of the house and no variance is needed. Mr. Cook stated that he owns over nine cars and plans to park them all over his lot. He collects classic cars and is trying to keep them safe.

Member Castaneda stated that they have discussed at length the ways that Mr. Cook can keep security and privacy by moving the fence back. If fences were permitted in front of the house, it would become a series of "siloe pods" and not a neighborhood.

Member O'Brien stated that if he stacked eight or nine cars in the yard, he would not have any yard, he would have a parking lot. Mr. Cook stated that the reason he bought the house was for the cars.

A motion was made by Member Bransky to approve Case 22-15 a variance for fence height at 1549 183rd Street; seconded by Member O'Brien.

AYES: None.

NAYES: Members Alfonso, Bransky, Cap, Castaneda, O'Brien, and Chairman Sierzega

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ABSTENTIONS: None

ABSENT: Member Johnson.

Motion was DENIED.

Member Bransky stated that he does not feel that a hardship was presented.

Chairman Sierzega stated that based on the information presented, he cannot justify a hardship; there are other ways to address the issues.

Member O'Brien stated that he cannot support the application, the way it was presented.

NEW BUSINESS: None.

OLD BUSINESS: None.

ADJOURNMENT: Chairman Sierzega asked for a motion to adjourn the meeting. Member Cap moved to adjourn the meeting at 8:35 p.m., seconded by Member Bransky.

AYES: Members Alfonso, Bransky, Cap, Castaneda, O'Brien, and Chairman Sierzega.

NAYES: None

ABSTENTIONS: None

ABSENT: Member Johnson

Respectfully submitted,

Angela M. Mesaros
Staff Liaison